

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BERNADEAN RITTMANN *et al.*,

Plaintiffs,

v.

AMAZON.COM, INC. and AMAZON
LOGISTICS, INC.,

Defendants.

No. 2:16-cv-1554-JCC

**STIPULATION AND ~~PROPOSED~~
ORDER RE: EXTENSION OF TIME
FOR ISSUANCE OF FLSA NOTICE,
MOTION FOR CLASS
CERTIFICATION, AND RENEWED
MOTION TO COMPEL ARBITRATION**

NOTE ON MOTION CALENDAR:
December 12, 2024

Plaintiffs and Defendants Amazon.com, Inc. and Amazon Logistics, Inc. (“Defendants”), by and through their undersigned counsel of record, hereby stipulate and request that the Court extend the following deadlines related to Plaintiffs’ forthcoming motion for class certification, Defendants’ forthcoming renewed motion to compel arbitration, and the production of a collective list to Plaintiff and distribution of notice in accordance with the Court’s order granting conditional certification of the FLSA claims.

On October 29, 2024, the Court issued an order setting December 27, 2024 as the deadline for Plaintiffs to file a motion for class certification and for Defendants to file a renewed motion to compel arbitration. ECF 359 at 2.

On December 2, 2024, the Court issued an order granting Plaintiffs’ motion for conditional certification under the FLSA and providing that Defendants must produce to Plaintiffs certain

STIPULATION AND ~~PROPOSED~~ ORDER

1 information about all members of the collective within 14 days of the order. ECF 381 at 12.
2 Defendants' current deadline to produce such information is December 16, 2024.

3 The Court's December 2 order also provided that the parties must meet and confer as to
4 the content of the notice, submit the proposed notice to the Court, and select an administrator
5 within 60 days of the order. ECF 381 at 12–13. The Parties' deadline to submit the proposed
6 notice to the Court and select an administrator is January 31, 2025.

7 On December 9, 2024, Defendants filed a motion to certify the Court's conditional
8 certification order for interlocutory appeal under 28 U.S.C. § 1292(b). ECF 391. Defendants'
9 motion is noted for December 30, 2024. *Id.*

10 The Parties have met and conferred on the existing deadlines and agreed on several
11 proposed extensions to the case schedule in light of the Court's December 2 order and Defendants'
12 motion for interlocutory appeal.

13 First, Defendants request, and Plaintiffs consent to, a 30-day extension of time to provide
14 to Plaintiffs' counsel the list of individuals who fall within the conditionally certified collective.
15 As noted in Defendants' opposition to Plaintiffs' motion for conditional certification, the list will
16 include more than one million individuals. Collecting the information ordered to be produced in
17 the Court's December 2 order is time consuming, and additional time will permit Defendants to
18 compile a more comprehensive list for production to Plaintiffs' counsel under the terms of the
19 Parties' Stipulated Protective Order.

20 Second, the Parties do not request any extension to the January 31, 2025, deadline to submit
21 their proposal regarding the collective action notice and a notice administrator. However, to permit
22 the Court to consider and resolve Defendants' motion to certify for interlocutory appeal, and allow
23 time for any resulting appeal, Defendants request, and the Parties agreed, that the FLSA notice
24 shall not be sent to the members of the collective until the later of 30 days after the Court has
25 resolved that motion or 30 days after the final disposition of any resulting appellate proceedings.

26 Third, given the motion practice surrounding the Court's December 2 order and because
27 the deadlines fall over the winter holidays, Plaintiffs request additional time to prepare and file
28 their motion for class certification. Plaintiffs request that the schedule for Defendants' renewed

1 motion to compel arbitration also be continued to keep the schedules for the two motions
 2 concurrent. ECF 359 at 2. Defendants do not oppose this request.

3 The Parties therefore stipulate to the following:

- 4 1. The deadline for Defendants to produce to Plaintiffs the list of collective members
 5 outlined in the Court's December 2 order (ECF 381) is extended by 30 days, to January
 6 15, 2025.
- 7 2. Pursuant to the Court's December 2 order, the Parties will meet and confer within 60
 8 days of that date to determine the content of the FLSA notice and select an
 9 administrator, and they will provide the Court with the proposed notice. The Parties
 10 agree that notice shall not be sent until the later of 30 days after the Court has resolved
 11 Defendants' motion to certify for interlocutory appeal or 30 days after the final
 12 disposition of any resulting appellate proceedings.
- 13 3. Plaintiffs' motion for class certification, and Defendants' renewed motion to compel
 14 arbitration, shall be due on the later of 45 days after the Court has resolved Defendants'
 15 motion to certify for interlocutory appeal, or 45 days after the final disposition of any
 16 resulting appellate proceedings. Consistent with the prior briefing schedule and
 17 regardless of the date Plaintiffs file their motion, Defendants' opposition to Plaintiffs'
 18 motion for class certification shall be due 60 days after the date that the motion is due,
 19 and Plaintiffs' reply shall be due 21 days after the date that the opposition is due.

20
 21 Stipulated by and between the parties through their counsel of record:

22 Dated: December 12, 2024

Respectfully submitted,

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1 Dated: December 13, 2024

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15 *Attorneys for Rittmann Plaintiffs*

ORDER

IT IS SO ORDERED.

DATED: December 13th, 2024.



HON. JOHN C. COUGHENOUR
UNITED STATES DISTRICT COURT JUDGE

Presented by:

Dated: December 12, 2024

Respectfully submitted,

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